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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 TRAYVON BISHOP,

12 Petitioner,

13 v.

14 KATHLEEN ALLISON, Warden,

15 Respondent.
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Case No. CV 10-4363 RGK (JCG)

**ORDER ADOPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE AND
DENYING CERTIFICATE OF
APPEALABILITY**

19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all of the
20 records herein, the Report and Recommendation of the United States Magistrate
21 Judge, and the Objections to the Report and Recommendation. Having made a *de*
22 *novo* determination of the portions of the Report and Recommendation to which the
23 Objections were directed, the Court concurs with and adopts the findings and
24 conclusions of the Magistrate Judge's Report and Recommendation.

25 Additionally, for the reasons stated in the Report and Recommendation, the
26 Court finds that Petitioner has not made a substantial showing of the denial of a
27 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*
28 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate of

1 appealability.

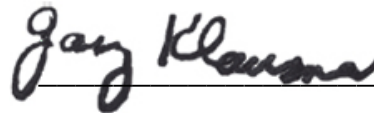
2 Accordingly, IT IS ORDERED THAT:

3 1. Judgment shall be entered dismissing the action with prejudice.

4 2. The Clerk shall serve copies of this Order and the Judgment herein on
5 the parties.

6 3. Petitioner's Application for Certificate of Appealability, [Docket No.
7 18], is denied.

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9 DATED: May 10, 2011

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12 HON. R. GARY KLAUSNER
13 UNITED STATES DISTRICT JUDGE
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